

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

IN THE MATTER OF:

MICHELLE ANN BOESCH

Debtor

Case No. 19-46095-MBM

Chapter 7

Honorable MARCI B. MCIVOR

**DEBTOR'S RESPONSE TO MOTION DISMISS CASE UNDER 11 USC
707(b)(2) and (b)(3)**

NOW COME Debtor MICHELLE ANN BOESCH, by and through her counsel, KAREN E. EVANGELISTA, P.C., and in response to the Motion to Dismiss her Case under 11 USC 707(b)(2) and (b)(3), states as follows:

1. Debtor filed a Chapter 7 proceeding with this Honorable Court as recognized by the Office of the United States Trustee's Office. The Debtor also admits that her debts are consumer debts totaling over \$180,000.00
2. The Debtor disagrees with the US Trustee's analysis of her means test calculations. She disagrees that she overstated expenses or her car payment. She also states that the involuntary deductions are just that – involuntary deductions for her retirement. This is based on information received from her employer.
3. The Debtor can demonstrate special circumstances based on her current income, loss of overtime and hours in general.

4. Because the Debtor's hours have been reduced she cannot fund a chapter 13 plan or repay her creditors in a reasonable fashion

WHEREFORE, Debtors pray this Honorable Court deny the relief requested by the Office of United States Trustee, and award her such other and further relief as this Court deems just.

Respectfully submitted:
KAREN E. EVANGELISTA, P.C.

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